

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

EDWARD STALEY,	:	
Inmate No. 419570,	:	PRISONER HABEAS CORPUS
	:	28 U.S.C. § 2254
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	2:05-CV-00072-RWS
HILTON HALL, Warden,	:	
	:	
Respondent.	:	

ORDER

This case is before the Court for consideration of the Report and Recommendation [18] of Magistrate Judge Susan S. Cole. Petitioner filed a Motion for Extension of Time to File Objections [22], which is granted *nunc pro tunc*. After reviewing the Report and Recommendation and the Objections [23] filed by Petitioner, the Court enters the following Order.

The Court has reviewed the Objections filed by Petitioner and finds that the issues raised therein have been fully addressed in the Report and Recommendation, with the possible exception of Petitioner's contention that specific intent was not proven. Objections at 95-97. Essentially, Petitioner argues that because he was convicted of a specific intent crime, intent could not

be inferred. However, intent was not inferred. By pleading guilty to the charges, Petitioner admitted each of the elements of those charges. U.S. v. Broce, 488 U.S. 563, 570, 109 S. Ct. 757, 102 L. Ed. 2d 927 (1989); U.S. v. Brown, 117 F. 3d 471, 476 (11th Cir. 1997); Wharton v. Anderson, 270 Ga. 22, 24, 504 S. E. 2d 670 (1998). The issue before this Court is the validity of the pleas. The Court agrees with Judge Cole's finding that all of Petitioner's pleas of guilty were valid. By Petitioner's pleas of guilty, specific intent was established.

Therefore, the Report and Recommendation is received with approval and adopted as the Opinion and Order of this Court. Accordingly, Respondent's Motion to Dismiss and to Sever [8] is **DENIED**, Petitioner's Motion for Extension of Time to File Objections [22] is **GRANTED**, *nunc pro tunc*, the Petition for Writ of Habeas Corpus [1] is **DENIED**, and this action is hereby **DISMISSED**.

SO ORDERED, this 22nd day of March, 2006.

/s/ Richard W. Story
 RICHARD W. STORY
 UNITED STATES DISTRICT JUDGE

